

An Act for the better Suppressing Tories, Robbers and Rapparees ; and for preventing Robberies, Burglaries, and other hainous Crimes.

C H A P. XXI.

**F**Orasmuch as by the late Rebellion in this Kingdom, a great part thereof hath been left Waste and Desolate ; and the frequent Robberies, Murders, and other Notorious Felonies Committed by Robbers, Rapparees and Tories, upon their Keeping, hath greatly Discouraged the Re-planting of this Kingdom, the Papist Inhabitants thereof, chusing rather to suffer Strangers to be Robbed and Despoiled of their Goods, then to Apprehend or Conbid the Offenders, of Whom the greatest part are people of the same Country ; and Countenanced, Harboured, and Concealed by the Inhabitants thereof. For the Remedy of which Mischiefs, and for the better Encouragement of Strangers to Plant and Inhabit this Your Majesty's Kingdom of Ireland, and for the general Preservation of Peace and Property of Your Majesty's Good Subjects therein.

May it please Your Majesty that it may be Enacted ; And be it Enacted by the King's Most Excellent Majesty, by, and With the Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That the Inhabitants of every Barony or County, Within this Kingdom, shall make full satisfaction and amends for all Robberies, Burglaries, Burning of Houses, or Haggards of Corn, Killing or Maiming of  
A Cattle,

Cattle, which shall be Committed or Done by Robbers, Rapparees, or Tories, within such Barony or County, from and after the Royal Assent given to this Bill, in manner and form following (That is to say) Where all or any of the Facts shall be Committed or Done by Rapparees, Robbers or Tories, as aforesaid, that are, or shall be Papists, or Reputed of the Popish Religion, the Popish Inhabitants of the Barony or County wherein all or any of the said Facts shall be Committed, shall make satisfaction and amends for the same: And Where all or any of the said Facts shall be Committed or Done by Robbers, Rapparees or Tories, as aforesaid, that are, or shall be Protestants, or Reputed to be of the Protestant Religion, the Protestant Inhabitants of the Barony or County, wherein all, or any of the said Facts shall be Committed, shall make satisfaction and amends for the same. And if it shall happen, that all, or any of the said Facts be Committed or Done by Popish and Protestant Robbers, Rapparees or Tories, as aforesaid, then, and in such Case, the Popish and Protestant Inhabitants of the Barony or County wherein such Facts shall be Committed or Done, shall make satisfaction and amends for the same; and in such proportion, and according to the Number of such Papists and Protestants as shall Commit the same (that is to say) if two Papists and one Protestant, the Papist Inhabitants to pay two Shares, and the Protestants the remaining third part of the said Damages; And so pro rata, in Case of a greater or lesser Number. And if all, or any of the said Facts be Committed or Done in the Division, or Hearing of two Baronies, or two Counties, so as it shall be uncertain

tain in which County or Barony the Fact or Facts were Committed; then, and in such Case, the Inhabitants of the both Baronies; or both Counties, shall make satisfaction and amends for the same, in such manner, and under such Distinction as is hereby Declared.

And be it further Enacted, by the Authority aforesaid, That in all Cases where the Damages do not Exceed the Summ of Ten pounds, Sterling, the Inhabitants of the Barony and Franchizes within the Precincts thereof, wherein all, or any of the said Facts shall be Committed, and not the County at Large, shall make satisfaction and amends for the same, in such manner, and with such Distinction, as aforesaid; And in all Cases where the Damages do exceed the Summ of Ten pounds, sterl. the Inhabitants of the County, wherein all or any of the said Facts shall be Committed, shall make satisfaction and amends for the same, in the manner, and with the Distinction aforesaid: And that the Jury that shall Try any Action Committed or Prosecuted on this Act, shall in their Verdict Ascertain the person and persons that commit such Robbery, Burning of Houses, or Haggards of Corn, Killing, or Maiming of Cattle, whether they were Papist or Protestants, and the Number of the one, and the other, as also the Damages, according to the Evidence that shall be on the Tryal offered to them.

And be it further Enacted by the Authority aforesaid, That every person and persons, so as aforesaid, Robbed or Damned, may be hereby Enabled to Sue for and Recover his or their Damages against any Inhabitant of the said County or Barony, who by this Act shall be made



made liable to answer any part thereof ; and that immediately after such Recovery and Execution against the said Inhabitants, all other the Inhabitants of the said Barony or County, who by this Act shall be made lyable to all or any part of the said Damages, shall be Ratably and proportionably Taxed, for, and towards an Equal Contribution for the Relief of such Inhabitant against whom the said Recovery and Execution is had ; which Tax, shall be Made, Levied and Raised by such Ways and Means, and in such Manner and Form as is prescribed and mentioned in a former Statute, Intituled, An Act for the following of Hue and Cry, made in the Tenth and Eleventh Years of the Reign of King Charles the First, in this Kingdom.

And be it further Enacted by the Authority aforesaid, That no person or persons shall Recover any Damages by Vertue of this Act, unless he or they by themselves, or by their Servants within twenty four hours after such Robbery or Injury done him or them, by any Robbers, Tories or Rapparees, or within reasonable time after he shall be at Liberty, shall give Notice of such Robbery or Mischiefs done and Committed, unto some of the Inhabitants of some Town, Village, or Hamlet, near unto the place where any such Fact shall be Committed, and shall within four Days after such Notice, give in his, her, or their Examination upon Oath, or of their Servant or Servants that were in his, or their House, or that had the Care of his Corn, Stock or Goods, before some Justice of the Peace of the County where such Fact shall be Committed, Inhabiting within the Barony where the said Fact shall hereafter happen to be Committed, or near unto the  
same

same, whether he or they do know the Person or Persons that Committed such Fact, or any of them, and if upon such Examination it be Confessed that he or they do know the person or persons that Committed the said Fact, or any of them, that then he or they so Confessing, shall be bound by Recognizances to prosecute such Offender or Offenders, by Indictment, or otherwise, according to the Laws of this Kingdom.

And moreover, be it Enacted by the Authority aforesaid, That before any Action shall be Commenced or Prosecuted on this Act, for recovery of Damages for any Losses sustained, by reason of any Robbery, Burning of Houses, or Corn, or Destruction of Cattle, Contrary to the Tenour of this Act, the Person or Persons so Injured, shall obtain or procure a Presentment to be made at the next Assizes or Quarter-Sessions, to be held after such Robbery, Injury, or Fact Committed, by the Grand Jury of the County where such Fact shall be Committed, wherein Notice shall be taken of such Robbery, or other Injuries or Mischiefs, and of the Losses Sustained, the Number of the Offenders, and how many of them are Papists, or Reputed such, and how many Protestants or Reputed such; As also of the Barony or Baronies and County where such Fact was Committed; With the Names of the Offenders: But in Case where the Person or Persons Robbed, Burnt, or Injured, or their Servant or Servants do not know the Names of all or any of the Offenders, and shall Declare so on their Oath openly in Court, being Examined to the said particulars, the said Grand Jury in such Presentment to give the best Description they can on the Evidence produced before them of such Malefactors, to the End they may be brought the

speedier to Justice : which Presentment shall be given in Evidence by the Person and Persons that shall obtain the same, on any Tryal for Damages for his Losses Sustained, according to the purport of this Act.

And for the better Suppressing Robbers, Tories and Rapparees, that have so much of late Disturbed the Peace and Settlement of this Kingdom,

Be it Enacted by the Authority aforesaid, That if any person or persons shall be at any time hereafter presented at the Assizes or Quarter-Sessions by the Grand-Jury, as a Tory, Rapparee or Robber, out on his Keeping, and such Presentment being returned to the Clerk of the Council, the person and persons in such Presentment named, shall by Proclamation from the Lord Deputy, or other Chief Governor or Governors and Council of this Kingdom be Proclaimed ; and in case such person or persons so Proclaimed ; do not within the time to be limited by such Proclamation, render him or themselves to some one or more Justices of the Peace of the County, where such Presentment shall be made, he and they so Presented and Proclaimed, shall from thenceforth be convict of High-Treason and suffer accordingly. And that all and every person and persons Concealing, Aiding, Abetting and Succouring such person and persons, so Presented and Proclaimed, knowingly, from and after the time so limited by such Proclamation, shall be guilty of Felony Without Clergy, and Suffer as Felons convict of Felony Without Clergy. And for the better Encouragement of such persons as shall Take and convict, or Kill any Robber, Rapparee or Tory in Arms, and upon his Keeping, Indicted, Proclaimed or Presented, as aforesaid, the Justices of Assize in their Circuit, and the Justices



Justices of Peace in their Quarter-Sessions, Respectively, with the Assent of the Grand-Jury, shall have power and Authority to Tax and Sell every Inhabitant in any County, Barony, City, Burrough, Town or Parish within the Limits of their Commissions and Authorities, to such Reasonable Aid or Summ of Money as they shall think fit in their Discretion, Convenient and Sufficient for Encouraging and Rewarding such Person or Persons, as shall take and Conviſt, or Kill any Robber, Rapparee or Tory in Arms, and upon his Keeping.

Provided such Summs do not Exceed Twenty pounds for any one Tory, which said sum or summs of Money, so to be Raised, shall be Apportioned and Appointed by the said Grand-Jury, and Levied by such Collectors as they shall appoint, who shall have Power and Authority to Receive the said Summs of Money, and to Distrain every such Inhabitant as shall be Taxed and refuse payment thereof; and to Sell such Distress, and deliver the Money Taxed to such Person or Persons as shall take or Kill such Robber, Rapparee or Tory; and the Residue, if the Distress be better, to deliver to the Owner thereof. This Act to Continue and be of Force for three Years from the Royal Assent being given thereto; and to the End of the first Session of the next Parliament after the said three Years, and no longer.

FINIS.